

[27th March 1928]

Diwan Bahadur P. O. EHIRAJULU NAYUDU:—"It is that that I wanted. Sir, and in view of the hon. Member's assurances that he would consider it, I am prepared to withdraw my resolution."

The resolution was by leave withdrawn.

The House then adjourned, to re-assemble at 11 o'clock the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX

[Vide item IV on page 16 supra.]

BILL No. 29 OF 1927.

A Bill to amend the Malabar Wills Act, 1898.

Report of the Select Committee.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL OF THE
GOVERNOR OF MADRAS.

We, the undersigned members of the Select Committee appointed to consider the Bill to amend the Malabar Wills Act, 1898 (Bill No. 29 of 1927), have the honour to submit the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 8th November 1927 and in Malayalam and Kanarese on the 6th December 1927.

3. The Committee met on the 26th January 1928 for the consideration of the Bill.

4. The Bill is intended to apply the principles of the Muhammadan Law of Wills, to wills executed by Mappillas governed by the Marumakattayam and Aliyasantana Laws of Inheritance in respect of property which they are competent to dispose of by will. The Committee understand that this is in accordance with the sentiments of the generality of Mappillas governed by the Marumakattayam and Aliyasantana Laws and are of opinion that this consideration is decisive of the necessity for passing the Bill into law. They therefore accept the Bill. They, however, think that the Bill should take the form of an independent measure dealing with the wills of Mappillas and not the form of a Bill to amend the Malabar Wills Act. The Select Committee have accordingly made the necessary changes in drafting.

5. We recommend that the Bill be brought into effect from the 1st January 1929.

6. A copy of the Bill as amended by the Committee is appended. The Committee consider it unnecessary to republish the Bill.

MAHMUD SCHAMNAD.
J. A. SALDANHA.
M. KRISHNAN NAYAR.
T. M. MOIDOO.

27th March 1928]

BILL No. 29 OF 1927.

(As amended by the Select Committee.)

A Bill to define the Law relating to Wills by Mappillas.

Whereas, it is expedient to define the law relating to wills executed by Mappillas governed by the Marumakattayam or the Aliasantana Law of Inheritance, and whereas the previous sanction of the Governor-General has been obtained to the passing of this Act; it is hereby enacted as follows:—

1. This Act may be called the "Mappilla Wills Act, 1927." Preamble.

2. (i) It shall come into force on the 1st January 1929. Short title.

(ii) It extends to the whole of the Presidency of Madras. Commence-
ment.

(iii) It applies to testamentary disposition by Mappillas governed by the Marumakattayam or the Aliasantana Law of Inheritance in respect of property which, but for which testamentary disposition, would devolve in accordance with the provisions of the Mappilla Succession Act, 1918. Extent.

3. Testamentary disposition to which this Act applies, shall be governed by the Muhammadan Law relating to wills and not by the Malabar Wills Act, 1898. Persons to
whom and
properties to
which this
Act is
applicable.

Madras Act
V of 1891.

Madras Act,
I of 1918.

Testamentary
dispositions
by Mappillas
to be govern-
ed by this
Act and not
by Madras
Act V of
1898.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS